

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TONY M. CARTER,

Defendant.

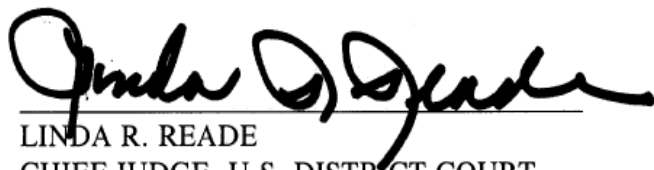
No. CR00-1011-LRR

ORDER

This matter comes before the court on the defendant's motion for reduction under 18 U.S.C. § 3582(c)(2). The defendant filed such motion on April 1, 2009. On August 19, 2008, the court sua sponte determined that the defendant did not qualify for a reduction under 18 U.S.C. § 3582(c)(2). After the defendant appealed, the Eighth Circuit Court of Appeals summarily affirmed the court's decision with respect to 18 U.S.C. § 3582(c)(2). The court's August 19, 2009 order and the Eighth Circuit Court of Appeals' September 10, 2008 judgment are final. Nothing the defendant states in the instant motion alters the court's prior order. Accordingly, the defendant's motion for reduction under 18 U.S.C. § 3582(c)(2) is denied.

IT IS SO ORDERED.

DATED this 1st day of April, 2009.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA